FEDERAL REGISTER

VOLUME 16 NUMBER 54

Washington, Tuesday, March 20, 1951

TITLE 3—THE PRESIDENT

PROCLAMATION 2919

CANCER CONTROL MONTH, 1951

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS the present emergency with its extraordinary demands upon the Nation's manpower emphasizes the importance of conserving our human resources; and

WHEREAS cancer is the second highest cause of death, claiming over 200,000 lives each year; and

WHEREAS more than half of these deaths are of persons in the most fruitful years of their lives, the Nation's reservoir of physical, intellectual, and spiritual power being thus depleted; and

WHEREAS encouraging progress has been made in the fight against cancer through the combined efforts of the medical and nursing professions, educational and research institutions, private organizations, public-spirited citizens, and the National Cancer Institute of the National Institutes of Health, Public Health Service, Federal Security Agency; and

WHEREAS, if the gains already made are to be retained and further progress achieved, there must be no relaxation of our efforts; and

WHEREAS by public resolution 82, 75th Congress, approved March 28, 1938 (52 Stat. 148), the President is authorized and requested to issue annually a proclamation setting apart the month of April of each year as Cancer Control Month:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, do hereby proclaim the month of April 1951 as Cancer Control Month; and I invite the Governors of the States, Territories, and possessions of the United States to issue similar proclamations. I also urge the medical profession, the press, the radio and motion-picture industries, and all interested agencies and individuals to unite during April 1951 in a public dedication to a program for the control of cancer.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this 14th day of March in the year of our Lord nineteen hundred and [SEAL] fifty-one, and of the Independence of the United States of America the one hundred and seventy-fifth.

HARRY S. TRUMAN

By the President:

DEAN ACHESON,
Secretary of State.

[F. R. Doc. 51-3585; Filed, Mar. 19, 1951; 11:20 a. m.]

EXECUTIVE ORDER 10224

ESTABLISHING THE NATIONAL ADVISORY BOARD ON MOBILIZATION POLICY

By virtue of the authority vested in me by the Constitution and Statutes, including the Defense Production Act of 1950, and as President of the United States and Commander in Chief of the Armed Forces, it is hereby ordered as follows:

SECTION 1. There is hereby established the National Advisory Board on Mobilization Policy, hereinafter referred to as the Board, which shall be composed of the Director of Defense Mobilization, as Chairman, and sixteen other members of outstanding experience and ability who shall be appointed by the President. All of the members of the Board shall represent the general public and the public interest, but in order that the Board may have the benefit of experience in pertinent matters, four members of the Board shall have had experience in business management, four members shall have had experience in matters relating to labor, and four members shall have had experience in agriculture.

SEC. 2. It shall be the function of the Board to advise the President from time to time with respect to the current defense mobilization program or any phase thereof. The Board shall meet with the President at his request and shall meet at such other times as may be determined by its Chairman. The Board shall make

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THE PRESIDENT

EXECUTIVE AGENCIES

FEDERAL REGISTER

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CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

CODIFICATION GUIDE—Con.

recommendations and reports to the President upon his request and at such other times as the Board deems appropriate.

SEC. 3. The members of the Board shall serve without compensation, and exemption is hereby granted, with respect to their service under this executive order, from the operation of sections 281, 283, 284, 434, and 1914 of Title 18 of the United States Code and Section 190 of the Revised Statutes.

SEC. 4. Members of the Board may be allowed transportation expenses in accordance with the standardized government travel regulations, as amended, and a per diem allowance of $15.00 in lieu of subsistence, while away from their respective homes or regular places of business on the business of the Board. Funds available for carrying out the Defense Production Act of 1950 and allotted for use under this order shall be utilized for the purposes of this Section 4 and for any other necessary expenditures of the Board.

HARRY S. TRUMAN

THE WHITE HOUSE,
March 15, 1951.

[F. R. Doc. 51–3583; Filed, Mar. 19, 1951; 10:18 a. m.]

EXECUTIVE ORDER 10225

EXEMPTION OF BERNICE PYKE FROM COMPULSORY RETIREMENT FOR AGE

WHEREAS, in my judgment, the public interest requires that Bernice Pyke, Collector of Customs for Customs Collection District No. 41, with headquarters at Cleveland, Ohio, be exempted from compulsory retirement for age as provided below:

NOW, THEREFORE, by virtue of the authority vested in me by section 204 of the act of June 30, 1932, 47 Stat. 404 (5 U. S. C. 715a), it is ordered, effective as of April 1, 1950, that the said Bernice Pyke be, and she is hereby, exempted from compulsory retirement for age under the provisions of the Civil Service Retirement Act of May 29, 1930, as amended, for an indefinite period of time not extending beyond March 31, 1952, the date on which her present term of office expires.

HARRY S. TRUMAN

THE WHITE HOUSE,
March 17, 1951.

[F. R. Doc. 51–3598; Filed, Mar. 19, 1951; 11:50 a. m.]

RULES AND REGULATIONS

TITLE 29—LABOR

Chapter V—Wage and Hour Division, Department of Labor

PART 521—EMPLOYMENT OF APPRENTICES

TEMPORARY SPECIAL CERTIFICATES

Pursuant to section 14 of the Fair Labor Standards Act of 1938, as amended, the Administrator has heretofore issued general regulations governing the employment of apprentices (§§ 521.1 to 521.10) and regulations governing the employment of apprentices in the diamond cutting industry (§§ 521.101 to 521.105), at wages lower than the minimum wage applicable under section 6 of the act.

On December 16, 1950, a notice was published in the FEDERAL REGISTER (15 F. R. 8995) that the Administrator proposed to amend the general regulations and revoke the diamond cutting industry regulations, because the special provisions for the diamond cutting industry no longer represent existing conditions. Further, since the date of the promulgation of the special provisions for such industry, the Apprenticeship Council of Puerto Rico has been established, and it is considered necessary that all apprenticeship agreements providing for the employment of an apprentice in Puerto Rico at wages lower than the applicable minimum wage hereafter be filed for approval with the Apprenticeship Council of Puerto Rico, pursuant to §§ 521.2 and 521.3. Interested parties were given 15 days in which to submit data, views or arguments pertaining to the proposed amendments. This period has now expired and careful consideration has been given to all material submitted.

Now, therefore, pursuant to authority under section 14 of the Fair Labor Standards Act of 1938, as amended (sec. 14, 52 Stat. 1068; 29 U. S. C. 214), I find that it is necessary, in order to prevent curtailment of opportunities for employment, that the proposed amendments published in the FEDERAL REGISTER on December 16, 1950, be adopted. Accordingly, this part is amended as follows:

1. Section 521.3 is amended by deleting the proviso, so that the section will read as follows:

§ 521.3 *Temporary special certificates.* The written apprenticeship agreement when approved by a recognized local joint apprenticeship committee or by a recognized state apprenticeship council, and after the employer has received notice of such approval by the approving agency, shall be considered a temporary special certificate, authorizing the employment of the apprentice at a wage rate or rates lower than the applicable minimum under section 6 of the act, specified in the approved agreement, until such time as a special certificate is issued by the Administrator or his authorized representative, or the employer is notified that his request for a special certificate is denied. In the event that a request for a special certificate is denied, the temporary special certificate shall be considered terminated and the employer shall thenceforth, upon receipt of notice of such denial, pay the minimum wage applicable under section 6 of the act to the named apprentice.

2. Sections 521.101 through 521.105 are revoked.

The above amendments shall become effective 30 days after the publication of this document in the FEDERAL REGISTER.

(Sec. 14, 52 Stat. 1068; 29 U. S. C. 214)

Signed at Washington, D. C., this 9th day of March 1951.

WM. R. MCCOMB,
Administrator,
Wage and Hour and Public Contracts Divisions.

[F. R. Doc. 51-3464; Filed, Mar. 19, 1951; 8:45 a. m.]

TITLE 15—COMMERCE AND FOREIGN TRADE

Chapter III—Bureau of Foreign and Domestic Commerce, Department of Commerce

Subchapter C—Office of International Trade

[5th Gen. Rev. of Export Regs., Amdt. P. L. 41 [1]]

PART 399—POSITIVE LIST OF COMMODITIES AND RELATED MATTERS

MISCELLANEOUS AMENDMENTS

Section 399.1 *Appendix A—Positive List of Commodities* is amended in the following particulars:

The following commodities are added to the Positive List:

Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Validated license required
080905	Sperm oil (excluding other whale oil)	Lb	FATS	250	RO
142000	Coconut oil, refined	Lb	FATS	250	RO
143500	Palm oil, edible or refined	Lb	FATS	250	RO
	Expressed oils (except essential) and fats, inedible:				
223000	Coconut oil, crude	Lb	FATS	250	RO
224001	Castor oil, commercial	Lb	FATS	250	RO
224003	Oiticica oil, inedible	Lb	FATS	250	RO
224010	Tung oil	Lb	FATS	250	RO
224027	Palm oil, crude	Lb	FATS	250	RO
811100	Castor oil, medicinal grade (report commercial grade in 224001).	Gal	DRUG	250	RO
820580	D. D. T. (dichlorodiphenyl trichloroethane) (including preparations thereof) containing 25 percent or more D. D. T. 100 percent basis.	Lb	AGCH	100	RO
	Other agricultural insecticides, fungicides and similar preparations and materials, dry or liquid basis:				
820590	Benzene hexachloride and formulations thereof, containing 1 percent or more of the gamma form.	Lb	AGCH	100	RO
	Polishes:				
829200	Castor oil, sulfonated	Lb	FOOD	250	RO
	Acids and anhydrides:				
830300	Sebacic acid	Lb	DYES	250	RO

Shipments of any commodities removed from general license to Country Group R or Country Group O destinations as a result of changes set forth in this amendment, which were on dock, on lighter, laden aboard an exporting carrier, or in transit to a port of exit pursuant to actual orders for export prior to 12:01 a. m., March 20, 1951, may be exported under the previous general license provisions up to and including April 14, 1951. Any such shipment not laden aboard the exporting carrier on or before April 14, 1951, requires a validated license for export. This saving clause is not applicable to any such shipments to Subgroup A destinations.

(Sec. 3, 63 Stat. 7; 50 U. S. C. App. Sup. 2023. E. O. 9630, Sept. 27, 1945, 10 F. R. 12245, 3 CFR, 1945 Supp.; E. O. 9919, Jan. 3, 1948, 13 F. R. 59, 3 CFR, 1948 Supp.)

This amendment shall become effective as of March 20, 1951, 12:01 a. m.

LORING K. MACY,
Deputy Director,
Office of International Trade.

[F. R. Doc. 51-3470; Filed, Mar. 19, 1951; 8:47 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Enforcement Procedure Regulation 3]

EP 3—DEFINING SCOPE AND AUTHORITY FOR USE OF LETTERS REQUESTING INSPECTION AND INTERVIEWS RELATING TO INVESTIGATIONS UNDER THE DEFENSE PRODUCTION ACT OF 1950

By virtue of the authority vested in me as Assistant Director of Price Stabilization for Enforcement (Director of Enforcement) by Administrative Order No. 22 and pursuant to Administrative Order 22, Supp. 1, 2, and 3, issued pursuant to Executive Order No. 10161 (15 F. R. 6105), Economic Stabilization Agency General Order No. 2 (16 F. R. 738), and Economic Stabilization Agency General Order No. 5 (16 F. R. 1273), and in order to define the manner in which Request Letters may be utilized by enforcement agents and employees of the Office of Price Stabilization under the Defense

[1] This amendment was published in Current Export Bulletin No. 612 dated March 15, 1951.

Production Act of 1950, this regulation is issued:

SECTION 1. A Request Letter as used herein is a letter directed to a person subject to the Defense Production Act of 1950 and used in connection with an investigation conducted by a duly authorized representative of the Office of Price Stabilization. Its use is directed to the inspection of books, documents and records of the person subject to investigation, and to permit the inspection of premises and property of such person and to request interviews with such person.

SEC. 2. Request Letters may be signed and issued only by the Assistant Director of Price Stabilization for Enforcement (Director of Enforcement), Regional Enforcement Directors and District Enforcement Directors, and only in connection with any investigation or proceeding relating to the administration or enforcement of the Defense Production Act of 1950 or of any regulations or orders of the Office of Price Stabilization issued thereunder.

SEC. 3. Request Letters shall be issued only after the scope and purpose of the investigation, inspection or inquiry to be made have been defined by the Assistant Director of Price Stabilization for Enforcement (Director of Enforcement), Regional Enforcement Director or District Enforcement Director of the Office of Price Stabilization having jurisdiction over such investigation, inspection or inquiry, and it is assured that no adequate and authoritative data requested by such request letter are available from any Federal or other responsible agency.

SEC. 4. The terms in this regulation shall have the same meaning as in the Defense Production Act of 1950.

SEC. 5. This regulation shall become effective March 20, 1951. Issued this 19th day of March, 1951.

(Sec. 704 Pub. Law 774, 81st Cong. Interpret or apply Title IV, Pub. Law 774, 81st Cong.; E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR, 1950 Supp.)

E. P. MORGAN,
Assistant Director of Price Stabilization for Enforcement (Director of Enforcement).

[F. R. Doc. 51-3581; Filed, Mar. 19, 1951; 10:12 a. m.]

[General Ceiling Price Regulation, Amdt. 6]

GCPR, AMDT. 6—CONTRACTS TO SELL FOR FUTURE DELIVERY

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738) this Amendment 6 to the General Ceiling Price Regulation is hereby issued.

STATEMENT OF CONSIDERATIONS

Since the issuance of the General Ceiling Price Regulation this office has been engaged in formulating "tailored" regulations which are designed for particular industries and are more suitable than the general freeze type of regulation. This office has announced frequently that a number of such regulations are now in preparation. In many cases they will permit sellers to deliver commodities or services at ceiling prices different from those established under the General Ceiling Price Regulation. In order that the taking of orders for future delivery not be impeded while the tailored regulations are under consideration it is deemed advisable to permit the making of offers and contracts to sell a commodity or service at the ceiling price in effect at the time of delivery or, if a fixed price is specified, at either that price or the applicable ceiling price at the time of delivery, whichever is lower. This amendment applies only to those commodities and services covered by the General Ceiling Price Regulation. It does not apply to any commodity or service for which a ceiling price is established by any other regulation or order of the Director of Price Stabilization in effect at the time the offer or contract is made. Moreover, the present amendment does not permit a seller to deliver a commodity or service at a price to be adjusted subsequent to the delivery of such commodity or service.

In the judgment of the Director of Price Stabilization this amendment is generally fair and equitable and is necessary to effectuate the purposes of title IV of the Defense Production Act of 1950.

AMENDATORY PROVISION

The General Ceiling Price Regulation is amended as follows:

Section 22 is amended by adding to the paragraph defining the word "sell" the following sentence: "Nothing in this regulation shall be construed to prohibit the making of a contract or offer to sell a commodity or service at (a) the ceiling price in effect at the time of delivery or (b) the lower of a fixed price or the ceiling price in effect at the time of delivery."

(Sec. 704, Pub. Law 774, 81st Cong. Interprets or applies Title IV, Pub. Law 774, 81st Cong.; E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR, 1950 Supp.)

Effective date. This amendment shall become effective March 19, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

MARCH 16, 1951.

[F. R. Doc. 51-3582; Filed, Mar. 19, 1951; 10:12 a. m.]

[General Ceiling Price Regulation, Amdt. 7]

GCPR, AMDT. 7—AGRICULTURAL COMMODITIES

MISCELLANEOUS AMENDMENTS

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 7 to the General Ceiling Price Regulation (16 F. R. 808) is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment is designed to make certain changes in section 11 of the General Ceiling Price Regulation relating to agricultural commodities selling at prices below the legal minimum and in section 14 (s) (1) dealing with the exemption of unprocessed listed agricultural commodities from control. First, the amendment clarifies the impact of the General Ceiling Price Regulation on sales of agricultural commodities which have been removed from exemption under section 14 (s) and, second, establishes for these commodities ceiling prices at a level not below the minimum requirements of the Defense Production Act of 1950. It also corrects minor errors, inconsistencies, and omissions; closes certain loopholes; defines several ambiguous terms; and conforms the language of the regulation, with respect to fluid milk, to the requirements of the Defense Production Act.

The first purpose was accomplished by amending section 11 (a) to state categorically that an agricultural commodity is deemed to be automatically removed from the list of agricultural commodities and from section 14 (s) (1) exemption as soon as the Secretary of Agriculture has announced by publication that the price of the commodity has reached the highest of the "legal minima" required to be reflected to producers by section 402 (d) (3) of the Defense Production Act of 1950. Previously, that paragraph had merely indicated that upon such determination and publication, the section ceased to apply to a commodity processed in substantial part from the listed agricultural commodity. No reference was made to the section 14 (s) (1) exemption, it being assumed that the exemption for the raw and natural commodity would terminate at the same time that section 11 ceased to apply to the processed commodity. References to the processed commodity in section 11 and to the raw and natural agricultural commodity in section 14 (s) (1), however, raised grave doubts as to whether the intent of the Director of Price Stabilization had been clearly stated.

To eliminate any further possibility of ambiguity in this respect, this amendment also adds to section 14 (s) (1) a sentence removing the exemption from any agricultural commodity which is deleted, whether automatically or by express amendment to the General Ceiling Price Regulation, from the list of agricultural commodities in section 11. Although the accomplishment of this purpose required some change in language in section 11 as to processed commodities, the new phraseology does not in any way alter the treatment of the processed commodities. Under the language in effect prior to this amendment, the section ceased to apply to processed commodities when the agricultural commodity had been affirmatively deleted from the list of agricultural commodities by the Director of Price Stabilization or when the Secretary of Agriculture had announced by publication that the price of the agricultural commodity had reached the minimum requirements of the Defense Production Act of 1950. Under the revised language of the provision made effective by this amendment, the section will for all practical purposes operate in exactly the same man-

ner. In either case, the section will cease to apply to a processed commodity five days after the date on which the Secretary of Agriculture has announced by publication a prevailing price for an agricultural commodity which price equals or exceeds the highest of the various minimum requirements of the act.

The second purpose is accomplished by amending both section 1 and section 14 (s) (1) to establish, after removal of exemption from control, ceiling prices for food, agricultural and related commodities previously exempt under the provisions of section 14 (s). Those sellers who are able to determine their prices under the provisions of section 3 of the General Ceiling Price Regulation will use as the applicable base period the most recent five-week period preceding the date the exemption is removed, rather than the December 19, 1950, to January 25, 1951, inclusive, base period used by all other sellers. Thus, a seller of a previously exempt agricultural commodity will find his ceiling price by using the regular pricing provisions of section 3 of the General Ceiling Price Regulation, if they are applicable, with a different base period. If the seller prices under one of the other sections of the regulation, which also require reference to a base period, he shall continue to use the regular December 19, 1950 to January 25, 1951, inclusive, base period. It was necessary to permit sellers of previously exempt agricultural commodities obtaining ceiling prices for the first time under section 3 to substitute "the most recent five-week period preceding the date the exemption is removed" as the base period, in place of the December 19, 1950 to January 25, 1951, inclusive, base period, in order to satisfy the minimum requirements of the Defense Production Act of 1950. To have required sellers of agricultural commodities which were exempt because the original base period prices for these commodities were below the minimum requirements of the law to use the same base period prices after the exemption had been removed would obviously violate the standards of the act. It was, therefore, necessary to establish for these commodities a new base period which would, as accurately as possible, reflect the pricing standards of the act. Since automatic removal from exemption is accomplished approximately fifteen days after the prices of the agricultural commodities reflect the minimum requirements of the law, the Director of Price Stabilization has established the five-week period during which the price of the commodity reached the minimum requirement as the proper base period.

It is not necessary, however, that sellers of agricultural commodities removed from exemption be allowed to use the more recent base period, which has the effect of providing higher ceiling prices, for obtaining a ceiling price under any section of the General Ceiling Price Regulation other than section 3. This is true because the application of the base period in the other sections of the regulation does not determine a ceiling price by reference to the highest price at which the commodity was sold or delivered during that time, but rather determines a ceiling price by reference to a markup obtained through use of a net invoice cost. Consequently, application of the December 19, 1950, to January 25, 1951, inclusive, base period to agricultural commodities priced under sections other than section 3 of the General Ceiling Price Regulation will not violate any of the minimum requirements of the Defense Production Act of 1950 and will prevent distributors from enlarging their margins during the period that the agricultural commodity remains exempt.

Third, this amendment provides that the ceiling price for fluid milk which is sold and bought pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended, or any marketing agreement, license or order or provision thereof or amendment thereto, shall be no less than the price determined pursuant to that act and it therefore permits processors and distributors of milk to "pass through" the increased cost under the provisions of section 11 (b) and (c) whether or not milk is deleted from the list of agricultural commodities and thus removed from section 14 (s) (1) exemption. This provision is inserted in section 11 (a) to satisfy the requirement of section 402 (d) (3) of the Defense Production Act of 1950, which states that nothing contained in this act shall be construed to modify, repeal, supersede or affect the provisions of the Agricultural Marketing Act of 1937, as amended, or to invalidate any marketing agreement, license, or order, or provision thereof, or amendment thereto, heretofore or hereafter made or issued under the provisions of such act. It is certainly conceivable that some specific marketing order under that act may provide for a price in excess of the ceiling price established by the General Ceiling Price Regulation. In such event it is clear that the prices established by the marketing order prevail and supersede the ceiling prices to the extent that they exceed them. Recognition of this possibility has caused the Director of Price Stabilization to permit subsequent handlers to increase their prices by the dollars and cents amount of the increase legally paid by them over the highest price previously paid for the commodity. Under these circumstances distributors of fluid milk may increase their prices under the provisions of section 11 (b) and 11 (c) in the same manner as if milk had remained below the legal requirements of the Defense Production Act of 1950 and had continued on the section 11 (a) list of agricultural commodities. This permissive increase only applies, however, in those instances where ceiling prices for milk are in conflict with such marketing orders promulgated under the Agricultural Marketing Agreement Act of 1937, as amended. It does not permit any other seller or buyer of milk to exceed his ceiling as otherwise established by the General Ceiling Price Regulation. Nor does it permit of any increases or "pass through" beyond that legally necessary to recognize and effectuate the overriding standards of the Agricultural Marketing Agreement Act of 1937, as amended, and orders, licenses and agreements issued under that act.

The words "at least in substantial part" are deleted from section 11 (c) (1), to permit the processor to "pass-through" any increase in cost of a listed agricultural commodity over the highest price paid during the base period. The difficulty of determining with any degree of preciseness the meaning of "substantially" and even of applying that word to specific proportions and costs negated any affirmative value originally anticipated from that phraseology. Moreover, the processor is still restricted to increasing his ceiling price by no more than the exact dollars and cents amount of the increase in the cost of the listed commodity actually used in the processed commodity. Under these circumstances, the disadvantages of retaining the provision in a section, the life of which is expected to be of short duration, are much greater than the corresponding advantages.

The revision of section 14 (s) (1) by Amendment 1 to the General Ceiling Price Regulation created some confusion among sellers of eggs, dry edible beans and peas, and popcorn, who mistakenly formed the opinion that this revision removed graded eggs, cleaned dry edible beans and peas, and shelled popcorn from price control at all levels of distribution. Such was not the purpose of the revision, and in order to correct these misunderstandings, section 14 (s) (1) is now amended to provide specifically that eggs, dry edible beans and peas, and popcorn are exempted from the regulation only when sold by the producers of these commodities. With this amendment the original language of section 14 (s) (1) is, in effect, again made applicable to sales of these commodities. It should be noted that these commodities are, of course, subject to the "pass-through" provisions of section 11 (a) and 11 (b) at all levels of distribution above the exempt producer level.

Section 11 of the General Ceiling Price Regulation provides for parity adjustments in ceiling prices and prescribes the method by which sellers of commodities derived from the agricultural commodities listed therein may increase their ceiling prices for such commodities on the basis of increased purchase costs of the basic material. In many cases the increased purchase costs reflect new ceiling prices containing fractions of one cent. In order that a uniform practice may be followed with respect to the disposition of such fractions, this amendment provides in section 22 that, whenever fractions of a cent remain after the total price for the quantity sold has been calculated, fractions under one-half cent shall be dropped while fractions of one-half cent or over may be increased to the next higher cent.

AMENDATORY PROVISIONS

The General Ceiling Price Regulation is amended in the following respects:

1. The following sentence is added at the end of section 1: "With respect to those food, agricultural and related commodities exempt under the provisions of section 14 (s), however, the applicable "base period" used after removal of the exemption to establish the ceiling price under section 3 of this regulation shall be the most recent five-week period pre-

ceding the date the exemption is removed."

2. The first paragraph of section 11 (a) is amended to read as follows:

(a) *Commodities covered by this section.* This section applies to commodities processed in substantial part from the following listed agricultural commodities. This section shall cease to apply, however, when any listed commodity is deleted by the Director of Price Stabilization, if, after consultation with the Department of Agriculture, he determines that the requirements of the Defense Production Act of 1950 are satisfied. Moreover, five days after the date the Secretary of Agriculture has announced by publication a price for any listed commodity, other than tobacco, which price equals or exceeds both (1) the parity price as set forth in the same publication, and (2) the highest price received by producers of the commodity during the period from May 24, 1950, to June 24, 1950, inclusive, both as determined and adjusted by him, that commodity shall be deemed to have been automatically deleted from the list of agricultural commodities and from section 14 (s) (1) exemption. The ceiling price determined under this section and in effect for any processed commodity at the time the listed commodity is deleted (automatically or otherwise) from the list of agricultural commodities shall remain as the ceiling price. Notwithstanding anything contained in this paragraph to the contrary, the ceiling price for fluid milk, which is sold and bought pursuant to the provisions of the Agricultural Marketing Agreement of 1937, as amended, or any marketing agreement, license or order, or provision thereof or amendment thereto, shall be no less than the price determined pursuant to that act, and, for the purposes of such sales and purchases only, fluid milk shall be deemed to remain on the list of agricultural commodities.

3. The words, "at least in substantial part" are deleted from section 11 (b) (1).

4. Section 14 (s) (1) is amended to read as follows:

(1) The following commodities only when sold by the producers thereof: Eggs, dry edible beans and peas, and popcorn. In addition, any other agricultural commodity listed in section 11 (a) (the "parity" adjustment provision) in its raw or natural state, or if the commodity is not customarily sold by producers generally in its raw or natural state, in the first form or state beyond the raw or natural state in which it is customarily sold by producers generally.

The exemption established by this paragraph shall not apply to any agricultural commodity after that commodity has been deleted, automatically or otherwise, from the list of agricultural commodities in section 11 (a) of this regulation. The ceiling price for any commodity so removed from exemption by deletion from the list of agricultural commodities, shall be the ceiling price otherwise determined under the provisions of this regulation and, if the ceiling is determined under section 3, by using the most recent five-week period preceding the date the exemption is removed as the applicable "base period".

5. A new paragraph to read as follows is added at the end of section 22:

Calculations of ceiling prices involving fractions. Fractions of a cent remaining after the total price for a quantity sold has been calculated shall be dropped if less than a half cent and increased to the nearest higher cent if a half cent or more.

(Sec. 704, Pub. Law 774, 81st Cong. Interpret or apply Title IV, Pub. Law 774, 81st Cong.; E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR, 1950 Supp.)

Effective date. This amendment shall become effective the 20th day of March 1951.

EDWARD F. PHELPS, Jr.,
Acting Director of Price Stabilization.

MARCH 16, 1951.

[F. R. Doc. 51-3584; Filed, Mar. 19, 1951; 11:59 a. m.]

[General Ceiling Price Regulation, Amdt. 2 to Supplementary Regulation 5]

GCPR, SR 5—RETAIL PRICES FOR NEW AND USED AUTOMOBILES

ADDITIONAL GUIDE BOOKS FOR USED CARS

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), Executive Order 10161 (15 F. R. 6105) and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 2 to Supplementary Regulation 5 (16 F. R. 1769) to the General Ceiling Price Regulation is hereby issued.

STATEMENT OF CONSIDERATIONS

Since the date of the last amendment to this supplementary regulation the publishers of two other guides have offered copies of their new issues and substantiated the fact that the prices therein stated are in line with those published in the present books listed for use in the pricing of used cars. This amendment adds these two books to the guides already listed.

In addition a number of the official guide books have republished their prices to conform to the requirements of the regulation. In some instances guide books that did not previously have prices for equipment for which the used car dealer is permitted to charge an extra price, have incorporated prices for such equipment that are in line with the prices published by other guide books in January. One guide book which had in January determined to change its regional coverages has republished its guide book to incorporate these changes. The prices for the new region, in which the several States covered now find themselves placed, are in line with the January prices generally prevailing in those States. In these instances, therefore, the regulation is being amended to permit the use of the newly published guide book in lieu of the January issue.

AMENDATORY PROVISIONS

Supplementary Regulation 5 to the General Ceiling Price Regulation is amended in the following respects:

1. Section 4 (a) is amended to read as follows:

(a) The ceiling price for any used car shall be the highest price listed for that make and model in the listed issue of the used car guide listed in this section 4, which the seller customarily used in the period December 19, 1950 to January 25, 1951, except (1) the ceiling price of any model used car currently being manufactured by the manufacturer shall be the ceiling delivered price of the car when new determined under section 3 of this regulation; and (2) in no event shall the price exceed the ceiling delivered price of the car when new, computed under the formula stated in section 3 of this regulation.

2. Section 4 (e) is amended to read as follows:

(e) If the seller did not customarily use any guide listed in this section during the period December 19, 1950, to January 25, 1951, inclusive, he must select one of the listed guides upon which to base his ceiling price, and thereafter base his ceiling price only on the listed issue of the official guide which he has selected.

3. Section 4 (g) is amended by changing the list of the guides contained therein to read as follows:

Name of guide and publisher	Issue	Territory for which guide is designated
American Auto Appraisal, published by American Auto Appraisal.	March–April supplement	
Blue Book-Executives Edition, published by National Used Car Market Report, Inc.	January issue or January reprint.	
Kelley Blue Book Official Guide, published by Les Kelley.	January issue	Arizona, California, Idaho, Nevada, Oregon, Utah, and Washington.
Market Analysis Report, published by Used Car Statistical Bureau, Inc.	January issue or price edition.	Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, and Vermont.
N. A. D. A. Official Used Car Guide, published by National Automobile Dealers Used Car Guide Co.	January issue or Mar. 2, 1951 edition.	
Northwest Used Car Values, published by Northwest Publishing Co.	January issue or March 1951 edition.	Washington, Oregon, Idaho, Montana, and North Dakota.
Official Automobile Guide, published by National Research Bureau, Inc.	Price edition	
Official Used Car Survey, published by Motor Vehicle Dealers Administration, Nebraska.	March-April supplement	
Official Automobile Guide, published by Recording and Statistical Corp.	Price edition	
Official Wisconsin Automobile Valuation Guide, published by Wisconsin Automotive Trades Association.	January issue or Feb. 15, 1951, edition.	Wisconsin.
Red Book National Used Car Market Report, published by National Used Car Market Report, Inc.	January issue or January reprint.	

(Sec. 704, Pub. Law 774, 81st Cong. Interprets or applies Title IV, Pub. Law 774, 81st Cong., E. O. 10161, Sept. 9, 1951, 15 F. R. 6105, 3 CFR, 1950 Supp.)

This amendment shall become effective March 19, 1951.

EDWARD F. PHELPS, JR.,
Acting Director of Price Stabilization.

MARCH 17, 1951.

[F. R. Doc. 51-3597; Filed, Mar. 19, 1951; 11:48 a. m.]

Chapter IV—Wage Stabilization Board, Economic Stabilization Agency

[General Regulations 1-7]

REDESIGNATION AS GENERAL WAGE REGULATIONS

EDITORIAL NOTE: General Regulations 1 through 7 are hereby redesignated as General Wage Regulations 1 through 7, and should be cited "GWR" instead of "GR". This change is necessary in order to conform this series to the change in designation introduced with General Wage Regulation 8 (16 F. R. 2032).

Chapter VI—National Production Authority, Department of Commerce

[NPA Order M-19 as Amended Mar. 16, 1951]

M-19—CADMIUM

This order as amended is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950. In the formulation of this order, there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations. However, consultation with representatives of all trades and industries affected in advance of the issuance of this order has been rendered impracticable due to the necessity for immediate action and because the order affects a large number of different trades and industries.

This amendment affects order M-19 as follows: It redesignates §§ 33.1 through 33.6 as sections 1 through 6; § 33.7 is deleted; §§ 33.8 through 33.13 are redesignated as sections 7 through 12; it adds a new paragraph (b) to section 2 and redesignates the old paragraphs (b) and (c) to be (c) and (d), respectively; it adds a new subparagraph (12) to section 4 (a); effects other minor changes and additions in sections 4 and 5; and substitutes a new section 6 for the previous §§ 33.6 and 33.7. As so amended NPA Order M-19 reads as follows:

Sec.
1. What this order does.
2. Definitions.
3. Use of cadmium.
4. Production of cadmium-containing items.
5. Production of cadmium-plated products.
6. Delivery of cadmium, cadmium-containing items, or cadmium-plated products.
7. Defense orders for cadmium-containing items and cadmium-plated products.
8. Inventories.
9. Applications for adjustments.
10. Records and reports.
11. Communications.
12. Violations.

AUTHORITY: Sections 1 to 12 issued under sec. 704, Pub. Law 774, 81st Cong. Interpret or apply sec. 101, Pub. Law 774, 81st Cong.; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan 3, 1951, 16 F. R. 61.

SECTION 1. *What this order does.* This order controls deliveries of cadmium from a producer or distributor. The order also states the purposes for which cadmium, cadmium-containing items and cadmium-plated items may be produced. In addition, the order imposes inventory controls on cadmium.

SEC. 2. *Definitions.* As used in this order:

(a) "Person" means any individual, corporation, partnership, association or any other organized group of persons and includes any agency of the United States or any other government.

(b) "Base period" means the 6-month period ending June 30, 1950.

(c) "Cadmium" means all grades of metallic cadmium, oxide, or plating salts produced directly from ores, concentrates or other primary materials, or redistilled, remelted or otherwise recovered from cadmium scrap or any secondary cadmium-bearing material; and cadmium-bearing materials suitable for the manufacture of pigments.

(d) "Distributor" means any person regularly engaged in the business of buying cadmium and selling the same in forms suitable for general fabrication or electroplating. It also includes laboratory supply houses to the extent they are engaged in buying and selling cadmium in any form to laboratories.

SEC. 3. *Use of cadmium.* No person may use any cadmium in any fashion except to produce the cadmium-containing items listed in section 4 of this order or to produce an electroplated coating on the products listed in section 5, and then only to the extent necessary to meet applicable specifications or for the proper service performance of the end products. Notwithstanding the foregoing, a person may use cadmium in laboratories for research, control, analysis, synthesis, assaying or educational work. The provisions of sections 4, 5, and 6 do not prohibit the completion of items containing cadmium or cadmium-plated products not listed in sections 4 or 5 if they were in the process of manufacture on or before January 1, 1951, and such completion is effected not later than January 31, 1951.

SEC. 4. *Production of cadmium-containing items.* No person shall produce any cadmium-containing item except those listed in paragraphs (a) through (p) of this section, and then only for the purposes and subject to the qualifications set forth in said paragraphs (a) through (p):

(a) Pigments for the following:

(1) Luminescent paint for military uses.

(2) Luminescent printing ink for military uses.

(3) Luminescent paper for military and Government Printing Office uses.

(4) Luminescent plastic for military uses.

(5) Signal and illuminating glassware for safety, religious, military and industrial uses.

(6) Thermometer tubing.

(7) Rubber sea buoys.

(8) Dental purposes.

(9) Artist's colors.

(10) X-ray fluoroscopic screens for medical purposes.

(11) Luminescent coatings for cathode ray tubes, except tubes to be used in signs, lighting fixtures or lamps.

(12) Pigments for all other purposes: *Provided, however,* That no person shall use in any one month in the production of pigments for such other purposes a quantity of cadmium by weight in excess of 40 percent of his average monthly use of cadmium for such purposes during the base period.

(b) Silver brazing alloys containing no more than 19 percent by weight of cadmium (except that silver solder containing not in excess of 95 percent cadmium may be used where centrifugal stresses are encountered at operating temperatures over 500° F.).

(c) Copper-base alloys containing no more than 1¼ percent by weight of cadmium for the following:

(1) Current carrying parts of electrical current interruption devices to the extent that sufficient contact pressure cannot be maintained in service with other less critical materials.

(2) Parts inside electronic tubes.

(3) Resistance welding electrodes.

(4) Overhead electrical contact wire in railroad (including industrial and mines), streetcar, and trolley bus systems.

(5) Multistrand railroad signal bond wire.

(6) Shunt wire leads for motors and generators.

(7) Flexible terminals of resistors, condensers, and field coils.

(d) Low melting point alloys for the following:

(1) On dry type rectifier elements.

(2) In fire protective systems, safety devices, and electrical fuses.

(3) Plugs for screwless fasteners in rimless metal spectacles.

(4) Dental use.

(5) Seals between brass and glass parts of liquid high voltage fuses.

(e) Low melting point alloys containing no more than 10 percent by weight of cadmium for the following:

(1) In plastic fire control instruments for the mounting of optics.

(2) Gold alloy for gold-filled spectacle frames.

(3) In the manufacture of inspection gauges.

(4) Bending of thin wall tubes.

(5) Bending of finished roll-formed and extruded shapes.

(f) Low melting point alloys containing no more than 6.5 percent by weight of cadmium for the following:

(1) Anchorage of punch press dies and bushings in drill jigs.

(2) Location of control points and surfaces (except floor grouting) in construction of fixtures.

(g) Zinc-base alloys, containing no more than 0.5 percent by weight of cadmium, for rolling.

(h) Type metal containing no more than 0.5 percent by weight of cadimum.

(i) Lead base alloys, containing no more than 3 percent by weight of cadmium, for the coating of copper wire.

(j) Items classified as secret, to the extent that certification of engineering necessity accompanies orders issued by the military services of the United States, the Atomic Energy Commission, or the United States Coast Guard.

(k) Standard cells.

(l) Electrolytic testers for storage batteries.

(m) Cadmium impregnated carbon or cadmium-silver alloys for use as contacts in electric current interruption devices.

(n) Bearings for rolling mills and heavy duty diesel engines.

(o) Cadmium chemicals for any use other than the manufacture of pigments or for use in the manufacture of pigments permitted under paragraph (a) of this section. The manufacturer of cadmium chemicals may sell such chemicals without requiring the certificate called for in section 6: *Provided, however,* No person may sell such chemicals if he knows or has reason to know that they will be used in the manufacture of pigments not permitted by paragraph (a) of this section.

(p) Copper tinsel wire containing not more than 1 percent cadmium by weight.

SEC. 5. *Production of cadmium-plated products.* No person shall produce any cadmium-plated product except those listed in paragraphs (a) through (x) of this section and then only for the purposes and subject to the qualifications set forth in said paragraphs (a) through (x):

(a) Functional parts which in service are subjected to frequent and extended periods of intermittent immersion in sea water or wet sprays of sea water to the extent that other finishes cannot be used for reasons of close tolerance or performance.

(b) Heddles and pin boards used in textile plants to the extent that corrosive action makes the use of other materials impracticable.

(c) Ferrous hardware parts in direct contact with fabric or leather to be used on the following:

(1) Aircraft parachutes.

(2) Aircraft safety belts.

(3) Aircraft shoulder harnesses.

(4) Aircraft bomb slings.

(d) Moving parts which require close tolerances for proper functioning and on parts adjacent to such moving parts to the extent that the tolerances cannot be maintained in service with other finishes because of mechanical or electrical interference by the products of corrosion or wear.

(e) Operating parts of electric controllers and switches.

(f) The following ferrous parts which in service reach a temperature of 500° F. or higher and on parts in contact with such ferrous parts:

(1) Aircraft parts requiring corrosion protection.

(2) Functional parts subject to the combined effect of corrosion and stress.

(g) Parts which serve to maintain an electrical contact for the suppression of radio interference to the extent that one of the contacted surfaces is aluminum, magnesium, or their alloys.

(h) Electrical contact parts of aircraft ignition harnesses and propeller hubs.

(i) Parts of electrical equipment to the extent that they, for performance reasons, must be soldered with the use of non-corrosive fluxes and where other finishes do not provide required corrosion protection.

(j) The following parts of electronic equipment:

(1) Surfaces involved in unsoldered butt joints which must remain constant in electrical or radio frequency resistance or both.

(2) Surfaces which require good conductivity for radio frequency current.

(3) Non-ferrous parts in contact with aluminum parts for prevention of electrolytic corrision.

(k) Ferrous nuts, bolts, machine screws, and washers for use in aircraft, except self-locking nuts designed for application below 250° F.

(l) Nuts, bolts, machine screws, and studs having threads ⅜-inch diameter and smaller and/or having 16 or more threads per inch for use in ship construction by the United States Army and Navy, Maritime Administration, and the United States Coast Guard.

(m) Parts subject to frictional contact at least one of which is a moving part to the extent that other finishes of required thickness and corrosion protective value cause gouging, seizure, or binding.

(n) Parts which in service are subjected to the corrosive action of chlorine except on items which contact chlorine only during laundry operations.

(o) Parts of items classified as secret, to the extent that certification of engineering necessity accompanies orders issued by the military services of the United States, the Atomic Energy Commission, or the United States Coast Guard.

(p) Ferrous springs (including lock washers), and parts which of necessity have been assembled with such springs before the plating operation, to the extent that other finishes do not provide necessary corrosion protection during use, and where their application causes embrittlement of the spring which cannot be removed satisfactorily by low temperature heat treatment.

(q) Carburetor and magneto parts for aircraft engines.

(r) Hose clamps for aircraft.

(s) External parts of engines for combat aircraft, excluding attachments which are not integral parts of the engine proper, such as clips, clamps, lugs, and further excluding such parts on which alternative finishes have proven satisfactory in service and newly designed parts performing similar functions.

(t) Hydraulic fitting coupling sleeves made of copper-base alloys for use in aircraft.

(u) Electrical contact parts which touch parts of aluminum, magnesium, or their alloys.

(v) Threaded fittings of gray and malleable iron to the extent that other finishes do not provide required corrosion protection and tolerance.

(w) Synthetic yarn and cotton twisters.

(x) High carbon wire for carding.

SEC. 6. *Delivery of cadmium, cadmium-containing items, or cadmium-plated products.* (a) Commencing on April 1, 1951, no person may deliver cadmium or any cadmium-containing item or cadmium-plated product unless he obtains directly, or through a dealer, from the person who will receive delivery thereof a signed certification as follows:

> The undersigned, subject to statutory penalties, certifies that the cadmium, cadmium-containing items, and cadmium-plated products herein ordered will be used by the undersigned only for the purposes and to the extent permitted by NPA Order M-19.

This certification constitutes a representation to the seller and to the National Production Authority that the cadmium, cadmium-containing items, and cadmium-plated products delivered will be used only for purposes permitted by this order and that such use is not prohibited by other applicable orders or regulations of the National Production Authority.

(b) The provisions of this section will not apply to deliveries of: (1) Cadmium to any agency of the United States for its stockpile of strategic materials; (2) cadmium, cadmium-containing items, or cadmium-plated products for purposes of resale only; or (3) cadmium-containing items or cadmium-plated products in connection with retail sales.

SEC. 7. *Defense orders for cadmium-containing items and cadmium-plated products.* Notwithstanding the provisions of NPA Reg. 2 which establishes a priorities system, unless otherwise directed by the National Production Authority, rated orders calling for cadmium-containing items or cadmium-plated products are subject to the provisions of sections 4, 5, and 6 of this order.

SEC. 8. *Inventories.* No person obtaining cadmium, cadmium-containing items, or cadmium-plated products for any purpose may receive or accept delivery of a quantity of such materials if his inventory is, or by such receipt would become, in excess of that necessary to meet his deliveries or supply his services on the basis of his scheduled method and rate of operation during the succeeding 30-day period. NPA Reg. 1, relating to inventory control, will apply to such materials except as otherwise provided by this section.

SEC. 9. *Applications for adjustments.* (a) Any person affected by any provision of this order may file a request for adjustment or exception upon the ground that any provision works an undue or exceptional hardship upon him not suffered generally by others in the same trade or industry, or that its enforcement against him would not be in the interest of the national defense or in the public interest. In examining requests for adjustment claiming that the public inter-

est is prejudiced by the application of any provision of this order, consideration will be given to the requirements of the public health and safety, civilian defense, and dislocation of labor and resulting unemployment that would impair the defense program. Each request shall be in writing and shall set forth all pertinent facts and the nature of the relief sought, and shall state the justification therefor.

(b) To enable the National Production Authority to evaluate applications for adjustment or exception in cases where it is not practicable to substitute other less scarce materials for cadmium, such applications in the form of requests for authorization to use cadmium for purposes not permitted by this order should be forwarded to the National Production Authority by letter in duplicate setting forth the following information:

(1) Period of time, not exceeding 6 months, for which adjustment is requested.

(2) Quantity of cadmium applicant proposes to consume monthly (i) for purposes permitted by this order and (ii) for purposes covered by the application, stating the sources from which the latter cadmium will be obtained.

(3) Description (and for cadmium-containing alloys, the alloy composition), function, specification number, and cadmium requirement of each part or of each group of parts fulfilling related functions.

(4) The "DO" symbol, if the order or contract bears a "DO" classification.

(5) Justification, including reasons why substitutes are not satisfactory; e. g., faulty performance, lack of facilities, or shortage of manpower.

(6) Such other information as the applicant may wish to submit.

SEC. 10. *Records and reports.* (a) Each person participating in any transaction covered by this order shall retain in his possession for at least 2 years records of receipts, deliveries, inventories and use, in sufficient detail to permit an audit that determines for each transaction that the provisions of this order have been met. This does not specify any particular accounting method and does not require alteration of the system of records customarily maintained, provided such records supply an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies instead of the originals.

(b) All records required by this order shall be made available at the usual place of business where maintained for inspection and audit by duly authorized representatives of the National Production Authority.

(c) Persons subject to this order shall make such records and submit such reports to the National Production Authority as it shall require, subject to the terms of the Federal Reports Act. (Public Law 831, 77th Cong., 5 U. S. C. 139–139F)

SEC. 11. *Communications.* All communications concerning this order shall be addressed to the National Production Authority, Washington 25, D. C. Ref: M–19.

SEC. 12. *Violations.* Any person who wilfully violates any provision of this order or any other order or regulation of the National Production Authority in the course of operation under this order is guilty of a crime and upon conviction may be punished by fine or imprisonment or both. In addition, administrative action may be taken against any such person to suspend his privilege of making or receiving further deliveries of materials or using facilities under priority or allocation control and to deprive him of further priorities assistance.

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act.

This order, as amended, shall take effect, except as otherwise specifically stated, on March 16, 1951.

NATIONAL PRODUCTION AUTHORITY,
[SEAL] MANLY FLEISCHMANN,
Administrator.

[F. R. Doc. 51–3541; Filed, Mar. 16, 1951; 5:02 p. m.]

[NPA Order M–46]

M–46—PRIORITIES ASSISTANCE FOR THE PETROLEUM AND GAS INDUSTRIES

Correction

In Federal Register Document 51–3352, published at page 2394 of the issue for Wednesday, March 14, 1951, the reference to "section 9", appearing in section 8, should read "sections 9 through 12 and 14 through 19". Section 8 as corrected reads as follows:

SEC. 8. *The rating for oil country tubular goods.* To secure oil country tubular goods for normal requirements an operator may use and apply the rating DO–48; for emergency requirements an operator may use and apply the rating DO–48E. An operator may not use either of these ratings until he has complied with the rules set out in sections 9 through 12 and 14 through 19 of this order and he has been informed by PAD that a rating may be applied to a quantity of oil country tubular goods authorized by the Petroleum Administration for Defense.

Chapter XV—Federal Reserve System

[Regulation X, Interpretations]

REG. X—REAL ESTATE CREDIT

Int.
24. Compliance with amortization provisions.
25. Warehouses and office buildings used in processing goods.
26. Actual date credit is extended.
27. Appraised value of improved real property.
28. Radio and television broadcasting companies not public utilities.
29. Interstate trucking companies as public utilities.

INT. 24—COMPLIANCE WITH AMORTIZATION PROVISIONS

Clause (2) of the amortization provision in Schedule I and the amortization provision in Schedule III of section 7 (the Supplement to Regulation X) provide for amortization payments which "will fully liquidate the original principal amount of such credit not later than the date of the maturity of the credit * * *".

In cases where the maturity of credit subject to the regulation is less than the maximum permitted by the regulation, it is the opinion of the Board that the amortization provisions referred to above will be complied with if amortization payments are made until the maturity of the credit which, had they been continued until the maximum permissible maturity, would have fully liquidated the original principal amount of such credit by the date of such maximum permissible maturity.

For example, if the maximum maturity is 20 years, and the credit has a maturity of 10 years, the amortization provisions would be complied with if amortization payments are made during the 10 years which, had they been continued for 20 years, would have fully liquidated the original principal amount of such credit within 20 years.

INT. 25—WAREHOUSES AND OFFICE BUILDINGS USED IN PROCESSING GOODS

The Board has received several inquiries as to whether warehouses and office buildings used in connection with a manufacturing business are subject to Regulation X. As indicated in footnote 11 to section 2 (r) of the regulation, office buildings and warehouses, as well as other buildings, are ordinarily subject to the regulation. They are not subject to the regulation, however, if they fall within one of the exclusions from the definition of "nonresidential structure", namely, structures exclusively used or designed for use by a public utility or by any Government or political subdivision, or structures more than 80 percent of the floor space of which is used or designed for use (i) in processing materials, goods, or articles into finished or partly finished manufactured products, (ii) in mining or otherwise extracting raw materials, or (iii) on farm property in the production, shelter, or storage incidental thereto, of crops, livestock or other agricultural commodities. It is the opinion of the Board that space in such structures as office buildings and warehouses is used or designed for use in processing materials, goods, or articles into finished or partly finished manufactured products where such office building or warehouse is essential to and an integral part of the operations involved in the processing of such materials, goods, or articles. Unless the office building or warehouse, however, is essential to the processing operation and an integral part thereof, it is subject to the regulation.

INT. 26—ACTUAL DATE CREDIT IS EXTENDED

Inquiries have been received by the Board concerning the meaning of the phrase "actual date such credit is extended" as used in section 6 (i) of Regulation X.

Many types of credit extensions are subject to Regulation X and it is administratively impossible to prescribe a spe-

cific rule which would be fairly applicable to all types of financing arrangements affected by the regulation. However, for the purposes of Regulation X the general rule to be followed in most extensions of credit affected by the regulation is that the "actual date such credit is extended" is that date which is (1) the date on which the lender first disburses funds to, or makes funds available to the account of, the borrower, or (2) the date of execution of the note or other credit instrument evidencing the credit extended, whichever shall last occur.

INT. 27—APPRAISED VALUE OF IMPROVED REAL PROPERTY

Several inquiries have been received by the Board regarding the determination under Regulation X of "appraised value as determined in good faith" where there is to be construction on improved real property. The inquiries have related particularly to cases where there is an existing structure on the property such as a residence, servants' quarters, garage, or garage-apartment, but similar inquiries should be answered in accordance with the principles of this interpretation. In such cases, should the Registrant, in making his appraisal in good faith, appraise only the land or should he appraise the land and improvements?

In cases where the existing structure and the proposed construction are to be so located on the property that the possibility of separation in the case of resale would be remote and unlikely, it is the opinion of the Board that the Registrant may appraise the land and improvements. However, any outstanding credit secured by the improved real property necessarily would have to be taken into consideration in determining the amount of credit the Registrant could extend.

For example, if a prospective borrower desires to build a new residence at a cost of $20,000, on improved real property having a "value" of $10,000, the Registrant's appraised value may be $30,000, and the maximum loan value $15,000. However, if there were outstanding credit secured by the improved real property in an amount of, say, $5,000, the Registrant could not extend additional credit in an amount exceeding $10,000.

In cases where the existing structure and the proposed construction are to be so located that separation in the case of resale would not only be possible, but would be likely, it is the opinion of the Board that the Registrant should appraise only the land area on which the new construction is to be located.

For example, if the prospective borrower owns a tract of land consisting of several adjoining lots, some of which are improved with existing structures, and the borrower proposes to build a new structure on one of the vacant lots, the Registrant should appraise only the vacant lot.

INT. 28—RADIO AND TELEVISION BROADCASTING COMPANIES NOT PUBLIC UTILITIES

In answer to inquiries received, it is the opinion of the Board that radio and television broadcasting companies are not public utilities within the meaning of section 2 (s) of Regulation X. Accordingly, structures exclusively used or designed for use by such companies are nonresidential structures within the meaning of section 2 (r) of the regulation.

INT. 29—INTERSTATE TRUCKING COMPANIES AS PUBLIC UTILITIES

Inquiries have been received by the Board asking whether companies engaged in an interstate trucking business are public utilities within the meaning of section 2 (s) of Regulation X.

The Interstate Commerce Commission has authority to regulate three types of interstate motor carriers. They are "common carrier by motor vehicle", "contract carrier by motor vehicle" and "private carrier of property by motor vehicle". The degree of regulation and supervision exercised by the Commission differs with respect to the three types of carriers. Common carriers are required to obtain certificates of convenience and necessity outlining the extent of their proposed service, the routes over which they propose to operate, and other requirements deemed necessary by the Commission. Contract carriers must obtain a permit outlining the territory over which they propose to operate, the type of business, and any other conditions or limitations deemed necessary by the Commission in the public interest. Private carriers require neither certificates nor permits to operate.

Not only does the degree of regulation and supervision differ with respect to the three classes of carriers, but also the extent of their operations "for the convenience, service or accommodation of the public". Common carriers undertake for hire to transport from place to place the goods of anyone who chooses to employ them. Contract carriers transport for a limited number of shippers under special contracts designed to meet their particular needs. Private carriers need not transport for compensation, but may be the owner, lessee, or bailee of the goods transported.

For the above reasons, it is the opinion of the Board that, in the absence of other pertinent facts, only those companies engaged in an interstate trucking business as a "common carrier by motor vehicle" are public utilities within the meaning of section 2 (s) of Regulation X.

(Sec. 704, Pub. Law 774, 81st Cong., E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR, 1950 Supp. Interpret or apply sec. 602, Pub. Law 774, 81st Cong.)

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM,
[SEAL] S. R. CARPENTER,
Secretary.

[F. R. Doc. 51-3568; Filed, Mar. 19, 1951; 10:46 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[P. & S. Docket 1246]

ST. LOUIS NATIONAL STOCKYARDS CO.

NOTICE OF PETITION FOR MODIFICATION OF ORDER

Pursuant to the provisions of the Packers and Stockyards Act, 1921, as amended (7 U. S. C. 181 et seq.), an order was issued on February 2, 1949 (8 A. D. 160), authorizing the Yardage Charges which are presently in effect at respondent's stockyard. Subsequently, by an order dated May 23, 1949, the authorization was continued in effect to and including June 30, 1951.

On March 7, 1951, respondent filed a petition requesting that its current authorization be modified so as to authorize the assessment of the rates set out below under the heading, proposed rates, and extended as modified to and including June 30, 1953:

YARDAGE CHARGE

	Present rates	Proposed rates
A. Livestock sold or resold in the commission division		
Cattle (except bulls weighing 800 pounds)	$0.70	$0.78
Calves	.43	.45
Hogs	.25	.27
Sheep and goats	.16	.17
Bulls weighing 800 pounds or over	1.00	1.10
B. Livestock received directly by packers through the yards		
Cattle (except bulls weighing 800 pounds)	.35	.39
Calves	.22	.23
Hogs	.13	.14
Sheep and goats	.08	.09
Bulls weighing 800 pounds or over	.50	.55

If authorized, the modifications will produce additional revenues for the respondent and increase the cost of marketing to the shippers. Accordingly, it appears that this public notice should be given of the filing of the petition in order that all interested persons may have an opportunity to be heard in the matter.

All interested persons who desire to be heard upon the matter requested in said petition shall notify the Hearing Clerk, United States Department of Agriculture, Washington 25, D. C., within 15 days from the date of publication of this notice.

Done at Washington, D. C., this 14th day of March 1951.

[SEAL] KATHERINE L. MASON,
Hearing Clerk.

[F. R. Doc. 51-3484; Filed, Mar. 19, 1951; 8:50 a. m.]

NOTICES

DEPARTMENT OF COMMERCE

Under Secretary of Commerce for Transportation

MARITIME ADMINISTRATOR

DELEGATION OF AUTHORITY WITH RESPECT TO INTERCOASTAL, COASTWISE, AND OVERSEAS SHIPPING, INCLUDING USE THEREOF

The material appearing at 15 F. R. 8739 and 16 F. R. 1130 is amended to the following extent:

The functions, powers, authorities, and discretion conferred upon the Secretary of Commerce by Executive Order 10161, Executive Order 10200 (and Defense Production Administration Delegation No. 1), and Executive Order 10219 with respect to intercoastal, coastwise, and overseas shipping, including the use thereof, and delegated to the Under Secretary of Commerce for Transportation are hereby delegated to the Maritime Administrator.

The Maritime Administrator may, by redelegation, exercise the powers and authorities and discretion conferred upon him by this notice through such officers and employees of the Maritime Administration and Federal Maritime Board in such manner as he determines and he may authorize such redelegations by such officers and employees as he may deem appropriate.

All orders, regulations, rulings, certificates, directives, and other actions heretofore issued or taken under the notices appearing at 15 F. R. 8739 and 16 F. R. 1130 and in effect immediately prior to the effective date of this notice shall remain in full force and effect until hereafter suspended, amended, or revoked under appropriate authority.

(R. S. 161; 5 U. S. C. 22; Reorg. Plan No. 5 of 1950; 15 F. R. 8739, 16 F. R. 1130)

This notice is effective March 13, 1951.

[SEAL] PHILIP B. FLEMING,
Under Secretary of Commerce for Transportation.

[F. R. Doc. 51-3469; Filed, Mar. 19, 1951; 8:47 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 9880]

SPARTAN RADIOCASTING CO. (WORD)

ORDER DELETING ISSUE

In re application of The Spartan Radiocasting Company (WORD), Spartanburg, South Carolina, Docket No. 9880, File No. BP-7810; for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 13th day of March 1951;

The Commission having under consideration the above-entitled application which was designated for hearing in a consolidated proceeding with the application (File No. BP-7804; Docket No. 9879) of Greenville Broadcasting Company (WESC), Greenville, South Carolina, by Commission order of January 10, 1951; and

It appearing that, on February 16, 1951, the Commission dismissed the application of Greenville Broadcasting Company (WESC) upon request of the applicant; that on February 21, 1951, the Commission amended its hearing order of January 10, 1951, designating the above-entitled application for hearing by deleting therefrom certain issues and by including therein an issue designed to elicit evidence as to whether or not the installation of WORD, as proposed, would constitute a hazard to air navigation; and

It further appearing that, on February 28, 1951, Spartan Radiocasting Company was granted leave to amend the above-entitled application so as to specify a new transmitter site; that the hearing on the amended application began February 28, 1951, and that said hearing has been recessed until March 14, 1951; and

It further appearing that, under Part 17 of the Commission's rules and regulations, the transmitter site and antenna system specified by Spartan Radiocasting Company in its amended proposal do not require a special aeronautical study under the aforesaid rules and would not constitute a hazard to air navigation provided the obstruction marking is in accordance with specification B-6-17 of the rules;

It is ordered, That, the Commission's order of January 10, 1951, as amended by the order of February 21, 1951, designating the above-entitled application of Spartan Radiocasting Company for hearing is amended to delete therefrom the issue reading as follows: "To determine whether or not the installation and operation of Station WORD, as proposed, would constitute a hazard to air navigation."

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-3471; Filed, Mar. 19, 1951; 8:48 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-1625]

NATIONAL UTILITIES CO. OF MICHIGAN

NOTICE OF APPLICATION

MARCH 13, 1951.

Take notice that National Utilities Company of Michigan (Applicant), a Michigan corporation, of Coldwater, Michigan, filed on February 28, 1951, an application for (1) an order directing Panhandle Eastern Pipe Line Company (Panhandle) to establish physical connection of its natural-gas transportation facilities with the facilities of Applicant and sell natural gas to Applicant, and (2) a certificate of public convenience and necessity authorizing the construction and operation of certain natural gas facilities as hereinafter described, both pursuant to section 7 of the Natural Gas Act, as amended.

The facilities proposed to be constructed and operated by Applicant are as follows:

(1) Approximately 22.7 miles of 10¾-inch O. D. pipeline extending from a point of connection with Panhandle's existing 12¾-inch pipeline south of Marshall, Michigan, southward to a point near the southwesterly city limits of Coldwater, Michigan.

(2) Approximately 20 miles of 8⅝-inch O. D. lateral pipeline extending from a point on the proposed 10¾-inch line approximately ¼ mile north of Coldwater southeasterly to a point near the city of Hillsdale, Michigan.

(3) Approximately 22½ miles of 8⅝-inch O. D. lateral pipeline extending from the southern terminus of the proposed 10¾-inch line southwesterly to a point near the city of Sturgis, Michigan.

(4) Approximately 5 miles of 4½-inch O. D. lateral pipeline extending from a point of connection with the proposed 8⅝-inch line to Hillsdale (described in paragraph 2 above) near the city of Hillsdale northerly to a point near the Village of Jonesville, Michigan.

(5) Approximately 6½ miles of 4½-inch O. D. lateral pipeline extending from a point of interconnection with the proposed 10¾-inch line approximately 2½ miles south of Tekonsha, Michigan, to a point near the village of Union City, Michigan.

(6) A tap on the proposed 10¾-inch line at or near the northwesterly city limits of Coldwater to connect through a measuring and regulating station with an existing 6⅝-inch O. D. line constituting a part of the Coldwater distribution system.

(7) A tap at the terminus of the proposed 10¾-inch line at or near the southwesterly city limits of Coldwater to connect through a measuring and regulating station with the 6⅝-inch O. D. line constituting a part of the Coldwater distribution system.

(8) A tap on the proposed 10¾-inch line at or near the Village of Tekonsha to connect through a measuring and regulating station with a 2⅜-inch O. D. line constituting a part of a proposed distribution system to be installed in the Village of Tekonsha, Michigan.

(9) A tap on the proposed 8⅝-inch line (described in paragraph (3) above) at or near the City of Bronson, Michigan, to connect through a measuring and regulating station with a 3½-inch O. D. pipeline constituting a part of a proposed distribution system to be installed in the City of Bronson.

(10) A tap on the proposed 8⅝-inch line (described in paragraph (3) above) at or near the Village of Burr Oak, Michigan, to connect through a measuring and regulating station with a 2⅜-inch O. D. pipeline constituting a part of proposed distribution system to be installed in the Village of Burr Oak.

(11) A tap on the proposed 8⅝-inch line (described in paragraph (2) above)

at or near the northeasterly city limits of Coldwater, to connect through a measuring and regulating station with the 6⅝-inch O. D. pipeline constituting a part of the distribution system of Coldwater.

(12) An interconnection of the 8⅝-inch line (described in paragraph (2) above) with an existing distribution feeder line extending from Coldwater to the Village of Quincy.

(13) Metering and regulating facilities to meter and regulate the pressure of gas delivered to the various cities and villages proposed to be served.

The application states that Applicant proposes initially to convert its present distribution facilities in Coldwater, Sturgis, Hillsdale, and the Village of Quincy from propane-air gas to natural gas and to introduce natural gas into Bronson, Tekonsha and Burr Oak. Applicant also proposes to introduce natural gas into Union City and Jonesville as soon as materials can be obtained to construct the necessary lateral lines and distribution systems.

The application further recites that there is a great demand for natural gas in the area proposed to be served by Applicant, and that the area proposed to be served constitutes the only area of comparable size and population remaining in the southern half of the southern peninsula of Michigan not now being served with natural gas. Applicant also alleges that the introduction of natural gas into the area proposed is of vital importance to the National Defense Program.

The estimated total over-all cost of the facilities to be constructed under the application in this docket is $1,500,000, which Applicant proposes to finance, together with the cost of the distribution systems in the new communities to be served, by the issuance and sale of First Mortgage Bonds and the use of general corporate funds.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 3d day of April 1951. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 51-3462; Filed, Mar. 19, 1951; 8:45 a. m.]

INTERSTATE COMMERCE COMMISSION

[Ex Parte No. 177]

INCREASED EXPRESS RATES AND CHARGES, 1951

MARCH 14, 1951.

By supplemental petition dated March 9, 1951, in the above-entitled proceeding, the Railway Express Agency, Incorporated, requests authority to increase on one day's notice all charges on express matter by 25 cents per shipment except in carloads and shipments of milk, cream, and newspapers, as more particularly set forth in said supplemental petition, for the interim period pending final action by the Commission on the Agency's petition dated January 11, 1951, for general increases in its rates and charges.

The general petition is now set for hearing at the office of the Commission in Washington, D. C., at 9:30 a. m. United States standard time on March 29, 1951, before Hearing Examiner S. R. Diamondson and the cooperating committee representing State transportation and public utility commissions, at which time the supplemental petition will also be heard.

Oral argument on the supplemental petition for the interim increase will be heard before the entire Commission at the office of the Commission in Washington at 10:00 a. m. United States Standard time on April 6, 1951.

Notice hereof will be served upon petitioner, the Governors and regulatory bodies of the several States, and upon all parties of record in the principal proceeding. Notice will also be given to the general public by depositing a copy hereof in the Office of the Secretary of the Commission at Washington, D. C., and by filing a copy with the Director, Division of the Federal Register.

By the Commission.

[SEAL] G. W. LAIRD,
Acting Secretary.

[F. R. Doc. 51-3466; Filed, Mar. 19, 1951; 8:47 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-2570]

JERSEY CENTRAL POWER & LIGHT CO. AND GENERAL PUBLIC UTILITIES CORP.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 14th day of March A. D. 1951.

General Public Utilities Corporation ("GPU"), a registered holding company, and its subsidiary, Jersey Central Power & Light Company ("Jersey Central"), having filed a joint application-declaration, and amendments thereto, pursuant to sections 6 (a), 6 (b), 7, 9 (a), and 10 of the Public Utility Holding Company Act of 1935 ("act"), and Rule U-50 promulgated thereunder, with respect to, among other things, (a) the issue and sale by Jersey Central, pursuant to the competitive bidding requirements of Rule U-50, of $1,500,000 principal amount of first mortgage bonds, — percent series, due 1981, and 40,000 shares of its $100 par value, — percent series, cumulative preferred stock, (b) the issue and sale by Jersey Central, and the purchase by GPU, of 350,000 additional shares of Jersey Central's $10 par value common stock for an aggregate cash consideration of $3,500,000, and (c) a borrowing by GPU of $875,000 from each of four commercial banks, the interest rate on the notes to be issued to be the prime rate for commercial borrowing at the time of the making of the loans but not in excess of 3 percent per annum, and each of the notes to mature ten months from the date of issuance.

Such application-declaration, as amended, having been duly filed and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for hearing with respect to said application-declaration, as amended, within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that requirements of the applicable provisions of the act are satisfied and deeming it appropriate in the public interest and in the interest of investors and consumers that the said application-declaration, as amended, be granted and permitted to become effective and that the request of the applicants-declarants that the order become effective at the earliest date practicable be granted.

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of the act that the said application-declaration, as amended, be, and the same hereby is, granted and permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24, and subject to the further condition that the proposed issue and sale of Jersey Central's $1,500,000 principal amount of first mortgage bonds — percent series, due 1981, and of Jersey Central's 40,000 shares of its $100 par value — percent cumulative preferred stock shall not be consummated until the results of the competitive bidding pursuant to Rule U-50 have been made a matter of record in this proceeding and a further order shall have been entered by this Commission in the light of the record so completed, which order may contain such terms and conditions as may then be deemed appropriate.

It is further ordered, That jurisdiction be, and hereby is, reserved over the payment of all fees and expenses of counsel in connection with the proposed transaction.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 51-3465; Filed, Mar. 19, 1951; 8:46 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 17492]

TOMIZO TANIGAWA

In re: Cash owned by Tomizo Tanigawa. F-39-6859-E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Tomizo Tanigawa, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: Cash in the sum of $192.85 presently in the possession of the Treasury Department of the United States in Trust Fund Account, Symbol 158915, "Deposits, Funds of Civilian Internees and Prisoners of War", in the name of Tomizo Tanigawa, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Tomizo Tanigawa, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 8, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-3450; Filed, Mar. 16, 1951; 8:55 a. m.]

[Vesting Order 17493]

DAIHEI YOSHIMOTO

In re: Stock owned by Daihei Yoshimoto, also known as D. Yoshimoto. D-39-12621-A-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Daihei Yoshimoto, also known as D. Yoshimoto, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: Ten (10) shares of $100 par value capital stock of Needles Masonic Temple Association, Needles, California, a corporation organized under the laws of the State of California, evidenced by certificate numbered 213, dated January 16, 1930, registered in the name of D. Yoshimoto, and presently in the custody of the Office of Alien Property, Department of Justice, Washington, D. C., together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold, or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 8, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-3473; Filed, Mar. 19, 1951; 8:48 a. m.]

[Vesting Order 17495]

CARL JUNGBLUT

In re: Bonds owned by Carl Jungblut. F-28-31283

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Carl Jungblut, whose last known address is Bad Orb, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: Those certain debts or other obligations, matured or unmatured, evidenced by fifteen (15) International Standard Electric Corporation four percent bonds due July 1, 1953, of one thousand (1,000) Dutch guilders face value each, bearing the numbers DO5144/DO5158 inclusive, in bearer form, and any and all rights to demand, enforce and collect the aforesaid debts or other obligations, together with all rights in, to and under the said bonds,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Carl Jungblut, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 8, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-3476; Filed, Mar. 19, 1951; 8:48 a. m.]

[Vesting Order 17494]

UNION BANK OF SWITZERLAND

In re: Accounts maintained in the name of Union Bank of Switzerland, or Union de Banques Suisses, Geneva, Switzerland, and owned by persons whose names are unknown. F-63-139 (Geneva).

Under the authority of the Trading With the Enemy Act, as amended, Executive Orders 9193, as amended, 9788 and 9989, and pursuant to law after investigation, it is hereby found:

1. That the property described as follows: All property, rights and interests in the accounts identified in Exhibit A attached hereto and by reference made a part hereof, together with

(a) Any other property, rights and interests which represent accumulations or accruals to, changes in form of, or substitutions for, any of the property, rights and interests in said identified accounts on October 2, 1950, and which are now held in other accounts being maintained as blocked or otherwise subject to the restrictions of Executive Order 8389, as amended, or regulations, rulings, orders or instructions issued thereunder, and

(b) Any and all rights in, to and under any securities (including, without limitation, bonds, coupons, mortgage participation certificates, shares of stock, scrip and warrants) and any and all declared and unpaid dividends on

any shares of stock in any of said accounts.

excepting from the foregoing, however, all lawful liens and setoffs of the respective institutions in the United States with whom the aforesaid accounts are maintained,

is property within the United States;

2. That the property described in subparagraph 1 hereof is owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or is evidence of ownership or control by persons, names unknown, who, if individuals, there is reasonable cause to believe are residents of a designated enemy country and which, if partnerships, associations, corporations, or other organizations, there is reasonable cause to believe are organized under the laws of a designated enemy country or on or since the effective date of Executive Order 8389, as amended, have had their principal places of business in a designated enemy country;

3. That the persons referred to in subparagraph 2 hereof are nationals of a designated enemy country;

and it is hereby determined:

4. That to the extent that the persons referred to in subparagraph 2 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country.

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended, and the term "designated enemy country" has reference to Germany or Japan.

Executed at Washington, D. C., on March 8, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

[Accounts maintained in the name of Union Bank of Switzerland, or Union de Banques Suisses, Geneva]

Column I Name and address of institution which maintains account	Column II Designation of account
1. Dominick & Dominick, 14 Wall St., New York 5, N. Y.	Union de Banques Suisses, Geneva, General Ruling No. 6 Account, as described by Dominick & Dominick in its report on Form OAP-700, bearing its serial No. 43.
2. The Chase National Bank of the City of New York, 18 Pine St., New York, N. Y.	General Ruling 6 a/c Blocked Switzerland, as described by The Chase National Bank of the city of New York in its report on Form OAP-700, bearing its serial No. 200.
3. Bank of The Manhattan Co., 40 Wall St., New York, N. Y.	(a) Bonds and Stock Ordinary Account, and (b) stock Certification Account; as described by the Bank of The Manhattan Co. in its report on Form OAP-700, bearing its serial No. 095.
4. Irving Trust Co., 1 Wall St., New York 15, N. Y.	Demand Deposit Account, as described by the Irving Trust Co. of New York in its report on Form OAP-700, bearing its serial No. 0057.

[F. R. Doc. 51-3475; Filed, Mar. 19, 1951; 8:48 a. m.]

[Return Order 903]

SOCIETE "L'AVIOREX" DREYFUS FRERES

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, be returned after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Notice of Intention To Return Published, and Property

Societe "L'Aviorex" Dreyfus Freres, Paris, France; Claim No. 13338; February 2, 1951 (16 F. R. 1000); property described in Vesting Order No. 293 (7 F. R. 9836, November 26, 1942) relating to United States Patent Application Serial No. 326,529 (now United States Letters Patent No. 2,352,036), United States Patent Application Serial No. 335,599 (now United States Letters Patent No. 2,314,433) and United States Patent Application Serial No. 318,343 (now United States Letters Patent No. 2,447,824). This return shall not be deemed to include the rights of any licensees under the above patents.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on March 13, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-3478; Filed, Mar. 19, 1951; 8:49 a. m.]

MARION C. FAUSTEN

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., and Property and Location

Marion C. Fausten, Philadelphia, Pa.; Claim No. 13154; $6,504.61 cash in the Treasury of the United States. The right, title and interest of Marion C. Fausten in and to the Trust created under the Will of Jane E. Triebels, deceased, trust terminated in 1946. The right, title and interest of Marion C. Fausten in and to a Trust created under the Will of Walther Fausten, deceased, National Bank of Germantown & Trust Company, Philadelphia, Pennsylvania, Trustee.

Executed at Washington, D. C., on March 13, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-3452; Filed, Mar. 16, 1951; 8:56 a. m.]

[Vesting Order 500A-287]

COPYRIGHTS OF CERTAIN GERMAN NATIONALS

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the persons (including individuals, partnerships, associations, corporations or other business organizations) referred to or named in Column 5 of Exhibit A attached hereto and made a part hereof and whose last known addresses are listed in said Exhibit A as being in a foreign country (the names of which persons are listed (a) in Column 3 of said Exhibit A as the authors of the works, the titles of which are listed in Column 2, and the copyright numbers, if any, of which are listed in Column 1, respectively, of said Exhibit A, and/or (b) in Column 4 of said Exhibit A as the owners of the copyrights, the numbers, if any, of which are listed in Column 1, and covering works the titles of which are listed in Column 2, respectively, of said Exhibit A, and/or (c) in Column 5 of said Exhibit A as others owning or claiming interests in such copyrights) are residents of, or are organized under the laws of, or have their principal places of business in, such foreign country and are nationals thereof;

2. That all right, title, interest and claim of whatsoever kind or nature under the statutory and common law of the United States and of the several States thereof, of the persons referred to in Column 5 of said Exhibit A, and also of all other persons (including individuals, partnerships, associations, corporations or other business organizations), whether or not named elsewhere in this Order including said Exhibit A, who are residents of, or which are organized under the laws of or have their principal places of business in, Germany or Japan,

and are nationals of such foreign countries, in, to and under the following:

a. The copyrights, if any, described in said Exhibit A,

b. Every copyright, claim of copyright and right to copyright in the works described in said Exhibit A and in every issue, edition, publication, republication, translation, arrangement, dramatization and revision thereof, in whole or in part, of whatsoever kind or nature, and of all other works designated by the titles therein set forth, whether or not filed with the Register of Copyrights or otherwise asserted, and whether or not specifically designated by copyright number,

c. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to the foregoing,

d. All monies and amounts, and all rights to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to the foregoing,

e. All rights of renewal, reversion or revesting, if any, in the foregoing, and

f. All causes of action accrued or to accrue at law or in equity with respect to the foregoing, including but not limited to the rights to sue for and recover all damages and profits and to request and receive the benefits of all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting the foregoing,

is property of, and is property payable or held with respect to copyrights or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, the aforesaid nationals of foreign countries.

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described in subparagraph 2 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The term "national" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 1, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

EXHIBIT A

Column 1 Copyright numbers	Column 2 Titles of works	Column 3 Names and last known nationalities of authors	Column 4 Names and last known addresses of owners of copyrights	Column 5 Identified persons whose interests are being vested
Unknown....	Handbuch der Biologischen Arbeitsmethoden. Unter Mitarbeit von zahlreichen Fachgenossen. Abteilung V, Teil II (2. Hälfte). 1932.	Emil Abderhalden (editor) (nationality not established).	Urban & Schwarzenberg, Berlin N. 24, Friedrichstrasse 105B, Germany (nationality German).	Owner.
Do.....	Handbuch der Mikroskopischen Anatomie des Menschen. Sechster Band, Zweiter Teil. 1939.	Wilhelm von Möllendorff (nationality not established).	Verlag von Julius Springer, Berlin, Germany (nationality, German).	Do.

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